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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :

INTEREST RATE SWAPS ANTITRUST LITIGATION :

*This Document Relates to All Actions* :  
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16-MD-2704 (PAE)

16-MC-2704 (PAE)

ORDER NO. 3

PAUL A. ENGELMAYER, District Judge:

An initial pretrial conference was held in this case today. This Order memorializes (1) defendants' stipulation regarding the direct filing of cases in the Southern District of New York, and (2) the schedule the Court set for upcoming filings.

**I. Direct Filing of Cases in the Southern District of New York**

On July 1, 2016, in response to Order No. 1, defendants filed a letter, 16-MC-2704, Dkt. 3, containing the following stipulation. Defendants agree that plaintiffs may file in the Southern District of New York cases that they otherwise would have filed in other districts, and stipulate that defendants will not object, based on improper venue, to the filing directly in the Southern District of New York of related cases that emanate from other districts and that would appropriately be included in this MDL, on the understanding that (1) plaintiffs who file directly in this district shall identify in the complaint the district, if not the Southern District of New York, in which they would have filed in the absence of the stipulation, and (2) upon completion of all pretrial proceedings applicable to a case directly filed in this Court pursuant to this provision, this Court, pursuant to 28 U.S.C. § 1404(a), may transfer that case to the federal district court, if any, designated in the complaint, if venue would be proper in that district, as defined in 28 U.S.C. § 1391, after considering the recommendations of the parties to that case.

The Court accepts defendants' stipulation. It is hereby SO ORDERED.

## II. Schedule


For the reasons stated on the record at today's conference, the Court hereby sets the following schedule, which is intended to cover the period through the resolution of defendants' anticipated motions to dismiss.

- Defendants shall file a letter designating one or two defense counsel as liaison counsel, solely for the purpose of facilitating communication with the Court, by July 29, 2016.
- The putative class plaintiffs shall file a Consolidated Class Complaint, and plaintiffs Tera Group, Inc., and its affiliates, and Javelin Capital Markets LLC, and its affiliate, shall file a Consolidated Tera/Javelin Complaint (collectively, the "Consolidated Complaints") by September 9, 2016.
- Defendants shall file any motions to dismiss the Consolidated Complaints by November 4, 2016.
- In response to the motions to dismiss, plaintiffs shall either amend the Consolidated Complaints, or file oppositions to the motions to dismiss, by December 9, 2016.
- If the plaintiffs oppose the motions to dismiss, defendants shall file reply briefs by January 20, 2017.
- If plaintiffs amend the Consolidated Complaints, defendants shall file any new motions to dismiss by January 20, 2017, plaintiffs shall file any oppositions to the motions to dismiss by February 17, 2017, and defendants shall file any reply briefs by March 17, 2017.

Discovery is hereby stayed pending the Court's resolution of defendants' anticipated motions to dismiss. However, counsel for plaintiffs and defendants are directed to meet and confer promptly upon the completion of briefing on the motions to dismiss, and to prepare for and negotiate the logistical parameters of document discovery.

All of the filings specified in the above schedule shall be filed simultaneously on the dockets of 16-MD-2704 and 16-MC-2704.

SO ORDERED.

  
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Paul A. Engelmayer  
United States District Judge

Dated: July 26, 2016  
New York, New York